

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Cause No. 1:21-cr-0223-RLY-TAB
	)	
JOSHUA THOMAS LOCKWOOD,	)	
	)	
Defendant.	)	- 01

**REPORT AND RECOMMENDATION**

On March 16, 2022, the Court held a hearing on the Petitions for Warrant or Summons for Offender Under Supervision filed on February 24, and March 10, 2022. Defendant Lockwood appeared in person with his appointed counsel Michael Donahoe. The government appeared by Matt Rinka, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer Jamie Roberts.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Lockwood of his rights and provided him with a copy of the petition. Defendant Lockwood orally waived his right to a preliminary hearing.
2. After being placed under oath, Defendant Lockwood admitted violation numbers 1, 2, and 3. [Docket No. 4.] Government orally moved to withdraw the remaining violation, which motion was granted by the Court.
3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

**Violation  
Number**

**Nature of Noncompliance**

- 1            **“The defendant shall refrain from any unlawful use of a controlled substance.”**

On January 21, 2022, Mr. Lockwood submitted a urine sample which tested positive for cannabinoids.

- 2            **“The defendant shall live at a place approved by the probation officer. If the defendant plans to change where he or she lives or anything about his or her living arrangements (such as the people the defendant lives with), the defendant shall notify the probation officer at least ten (10) days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, the defendant shall notify the probation officer within seventy-two (72) hours of becoming aware of a change or expected change.”**

Mr. Lockwood permanently moved from his approved residence in Martinsville, Indiana, without permission. On February 17, 2022, a home visit was conducted at 7260 Waverly Road, Martinsville, during which his family indicated he has not been living at the residence for sometime and it is believed he is residing somewhere in Indianapolis. Furthermore, the family advised Mr. Lockwood had obtained a new phone number and had not provided his new number.

- 3            **“The defendant shall follow the instruction of the probation officer related to the conditions of supervision.”**

On January 24, 2022, Joshua Lockwood was given instruction to make phone contact with this officer as soon as possible. Additionally, letters were mailed to Mr. Lockwood's address on February 7, 2022, which have been unanswered.

4.        The parties stipulated that:

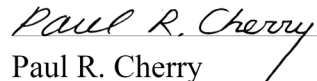
- (a)        The highest grade of violation is a Grade C violation.
- (b)        Defendant’s criminal history category is VI.
- (c)        The range of imprisonment applicable upon revocation of supervised release, therefore, is 8 to 14 months’ imprisonment.

5. The parties jointly recommended a sentence of twelve (12) months and one (1) days with no supervised release to follow. Defendant requested placement at FCC Terre Haute.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that his supervised release should be revoked, and that he should be sentenced to the custody of the Attorney General or his designee for a period of twelve (12) months and one (1) days with no supervised release to follow. The Magistrate Judge will make a recommendation of placement at FCC Terre Haute. The Defendant is to be taken into custody immediately pending the District Judge's action on this Report and Recommendation.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties waived the fourteen-day period to object to the Report and Recommendation.

Date: 3/17/2022

  
Paul R. Cherry  
United States Magistrate Judge  
Southern District of Indiana

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